

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

PROPET USA, INC.,) CASE NO. C06-0186-MAT
Plaintiff,)
v.) ORDER RE: MEDIATION
LLOYD SHUGART,)
Defendant.)
_____)

This case is currently set for a 5-day jury trial commencing September 24, 2007. The parties were ordered by this court to participate in the alternative dispute resolution program authorized by CR 39.1 no later than August 20, 2007, but were unable to agree on a mediator and asked for the assistance of the court. After three CR 39.1 panel members were designated by the court as potential mediators, the parties agreed on Thomas Brewer. The parties now advise that they are unable to agree on the method for paying the expense of mediation.

The parties could have selected a mediator by agreement, including a *pro bono* mediator, but were unable to do so. If a fee is charged by the mediator chosen from those designated by the court, the fee will be shared equally by the two parties.

01 A copy of this Order shall be provided to all counsel of record.

02 DATED this 27th day of August, 2007.

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05 Mary Alice Theiler
06 United States Magistrate Judge
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